



FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF GENERAL COUNSEL

**memorandum**

TO : Director, Reference Information Center  
Chief, Wireless Telecommunications Bureau

FROM : Daniel M. Armstrong  
Associate General Counsel

SUBJECT : *Warren C. Havens v. FCC & USA*, No. 03-1247 Filing of a Petition for Review  
in the United States Court of Appeals for the District of Columbia Circuit

DATE : September 10, 2003

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This is to advise you that, on August 20, 2003, Warren C. Havens filed a Petition for Review in the U.S. Court of Appeals for the D.C. Circuit, pursuant to 47 U.S.C. § 402(a), of the following order: *Amendment of Part 15 of the Commission's Rules Regarding Spread Spectrum Devices*, ET Docket No. 99-231, FCC 03-124 (rel. May 30, 2003).

Petitioner seeks review of the above-referenced order denying a Petition for Reconsideration of the Second Report and Order in ET Docket No. 99-231, 17 FCC Red 10755 (2002), in which the petitioner had requested that the FCC delay implementation of rule changes it had adopted to allow new digital transmission technologies to operate under the same rules that govern direct sequence spread spectrum systems.

The Court has docketed this case as No. 03-1247. The attorney assigned to handle the litigation of this case is Roberta L. Cook.